

III) REMARKS

This Amendment is submitted in response to the Office action dated July 23, 2004.

The Examiner has noted that certain trademark terms require capitalization; Applicant has amended the specification to include such capitalization of trademark terms.

The Examiner has noted several instances of reference numbers in the drawing that do not appear in the specification. The specification has been amended herein to include text that utilizes those reference numbers. Thus, the drawings do not need to be revised.

The Examiner has objected to claim 10 (and others) due to an informality (the word “at” was missing from the phrase “at least”). The Applicant has amended the claims herein to correct the informal language.

The Examiner has rejected the claims under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-58 of U.S. Patent No. 6,542,933 issued to Durst et al. in view of Cragun et al. (U.S. Patent No. 5,804,803). Although Applicant respectfully disagrees with the Examiner’s interpretation of the Cragun patent and its alleged applicability to the instant claims in conjunction with the ‘933 Durst patent, the Applicant has filed herewith a Terminal Disclaimer in order to obviate this rejection.

Applicant thus submits that the entire application is now in condition for allowance, early notice of which would be appreciated. Should the Examiner not agree with the Applicants’ position, a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of this application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'AB Barkume', is written over a horizontal line.

Anthony R. Barkume

Reg. No. 33,831
Attorney for Applicant

Date: August 2, 2004

20 Gateway Lane
Manorville, NY 11949
tel (631) 878-0526
fax (631) 980-7997